

MEMO ENDORSED

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October 7, 2024

The Honorable Laura Taylor Swain
Chief United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Re: U.S. v. Randy Bautista
23 Cr. 279 (LTS)

Dear Judge Swain:

I represent Mr. Randy Bautista in the above referenced matter. I write with the approval of Pre-trial services to request that Mr. Bautista's bail bond condition be modified as follows, to allow Mr. Bautista to return to his residence 2541 Aqueduct Avenue, Bronx, to remove the third-party custodian which, if the court permits the requested application, would be unnecessary as Mr. Bautista will no longer be residing with the custodian, and to remove the standalone Monitoring GPS monitoring condition.

Mr. Bautista is doing very well, in fact he has excelled. Randy continues to be employed. He is currently employed full time as a car salesman, at the Nostrand Plaza Auto Mall, in Brooklyn, New York five days a week. In addition, Randy continues to pursue his electrician's license. He is currently enrolled in Apex technical school, attending classes from 6 p.m. to 10 p.m. from Monday thru Thursday, and is expected to graduate in February 2025. And as noted previously, Mr. Bautista successfully completed this District's Young Adult Opportunity Program.

Mr. Bautista was originally released pursuant to a bail package which included home detention with electronic monitoring, and a \$150,000 unsecured bond signed by three financially responsible persons and oversight by a third-party custodian. The Bail has been amended several times. At present, Mr. Bautista is no longer on home detention or a curfew, but he is subject to the Standalone GPS monitoring.

I have attached a letter from Mr. Bautista's mother, which underscores the urgency of this application.

The Government defers to pretrial services and pretrial services supports this application.

If the court has any questions, I may be reached at (212) 966-3970

Respectfully submitted,

/s/ Donald duBoulay, Esq.

cc.: Ni Qian, Assistant U.S. Attorney (via ECF)
James Ligtenberg (via ECF)
Marlon Ovalles, USPO Intensive Supervision Specialist

The foregoing request is granted. DE 215 resolved.
SO ORDERED.

10/7/2024

/s/ Laura Taylor Swain, Chief USDJ

Dear Honorable Swain,

I hope this letter finds you well. I am writing to you as the mother of Randy Bautista, who is currently awaiting sentencing and residing with his aunt due to the conditions of his bail. First, I want to express my deepest gratitude for granting Randy the opportunity to be out on bail, which has allowed him to work on improving his life. I know he is truly appreciative of the second chance you have provided him, and he has done everything possible to live up to the expectations set by the court.

However, I am writing to humbly request that you allow Randy to return to my home at 2541 Aqueduct Ave. Randy has been staying at his aunt's apartment in the Bronx, which is very small and overcrowded with 5 five children living there as well. Due to the limited space, Randy sometimes even sleeps on the floor and has been living out of a suitcase for over a year. He lacks privacy and a space to call his own, and has no personal area to store his belongings. While I have immense respect for his aunt and her family, Randy has endured several challenges in this environment that have negatively impacted his well-being, which I would prefer not to detail out of respect for our family.

I am deeply worried about Randy's mental health. His current living situation is overwhelming for him, and it is causing him significant stress and discomfort. Despite these hardships, Randy has not violated any of the conditions set forth by the court. He has been diligently attending school, pursuing a career as an electrician, and recently secured a new job at a car dealership. He is doing everything he can to stay on the right path, but his mental health has reached an all-time low due to the environment he is living in. I fear that if he remains in this situation, it could jeopardize his progress and well-being.

If allowed to return to my home, Randy would have his own room, his own bed, and the privacy he needs to focus on his personal growth and continue his efforts to build a better future. My home is a safe and stable environment for Randy, and I am fully committed to supporting him during this difficult time. Unfortunately, we do not have anyone else in our family who has the space to take Randy in, which is why my home is truly his only option. Furthermore, as you may already know, the victim in this case is currently on the run for murder and has left the country. There is no chance that the victim would be anywhere near our home on Aqueduct Avenue.

Additionally, with Randy's trial now set for May 2025, we are facing a long period of waiting. I would like Randy to be in an environment that is mentally healthy for him while we wait patiently for the trial. I truly believe that being in a more stable and supportive living situation would greatly improve his mental well-being during this extended period.

Randy has even been exploring the possibility of getting his own place, but as you may know, the current rent prices in New York make this option unaffordable for him at this time. I truly believe that returning home would greatly benefit his mental health, providing him with the stability and comfort he needs while continuing to work hard to turn his life around.

Your consideration of this request means the world to me as a mother, and I respectfully ask that you allow Randy to come back to my home. He has demonstrated his commitment to following the court's orders and improving his life, but he is struggling in his current environment. I sincerely believe that this change will help him continue on his path of personal development.

Thank you for your time and consideration. I am grateful for the opportunity to make this request and am hopeful for a positive outcome for my son.

Sincerely,

Albertina Castillo
Mother of Randy Bautista